

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: DOMESTIC DRYWALL
ANTITRUST LITIGATION**

**MDL No. 2437
13-MD-2437**

THIS DOCUMENT RELATES TO:

No. 13-cv-0563
No. 13-cv-0620
No. 13-cv-0816
No. 13-cv-1035
No. 13-cv-1036
No. 13-cv-1056
No. 13-cv-1182
No. 13-cv-1395
No. 13-cv-1490
No. 13-cv-1676
No. 13-cv-1895
No. 13-cv-1896
No. 13-cv-1979
No. 13-cv-2082
No. 13-cv-2104
No. 13-cv-2105
No. 13-cv-2106
No. 13-cv-2107
No. 13-cv-2108
No. 13-cv-2295

**NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE
AS TO CERTAIN PLAINTIFFS**

PLEASE TAKE NOTICE that the following Plaintiffs, on behalf of themselves, by and through the undersigned counsel, hereby voluntarily dismiss their claims without prejudice against Defendants pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure:

Ivyland Builders (No. 13-cv-0563); *Oregon State Drywall, LLC* (No. 13-cv-0620); *Utica Drywall Products, Inc.* (No. 13-cv-0816); *Pat Trainor Drywall, Inc.* (No. 13-cv-1035); *Berger*

Bros., Inc. (No. 13-cv-1036); *Contractors Insulation and Drywall Supply* (No. 13-cv-1056); *Added Dimensions, Inc.* (No. 13-cv-1182); *Howell Lumber Company of Wamego, Inc.* (No. 13-cv-1395); *Platinum Drywall Inc.* (No. 13-cv-1490); *Sulock Construction, LLC* (No. 13-cv-1676); *Caceres Drywall Corporation* (No. 13-cv-1895); *Jerry R. Berkhous d/b/a Berkhous Drywall & Construction* (No. 13-cv-1896); *Tim Riner d/b/a Tim Riner Construction* (No. 13-cv-1979); *Smart Interiors, LLC* (No. 13-cv-2082); *Innovated Services LLC* (No. 13-cv-2104); *Grant Lumber Pole Buildings, LLC.* (No. 13-cv-2105); *Corner Office, LLC and 1659 Hubbard, LLC* (No. 13-cv-2106); *Precision Drywall, Inc.* (No. 13-cv-2107); *Eriez Construction, Inc.* (No. 13-cv-2108); and *Ashford Gypsum Services, Inc.* (No. 13-cv-2295) (collectively, the “Voluntarily Dismissed Plaintiffs”). Each Voluntarily Dismissed Plaintiff’s action has been transferred and consolidated into the *In Re Domestic Drywall Antitrust Litigation*, Master File No. 2:13-md-02437-MMB. Defendants have not served an answer or motion for summary judgment to 1) any Voluntarily Dismissed Plaintiff’s complaint, or 2) Direct Purchasers’ Consolidated Amended Class Action Complaint filed on June 24, 2013 in the Consolidated MDL Proceeding (No. 13-MD-2437). The above-listed Voluntarily Dismissed Plaintiffs reserve their rights as absent class members to share in any recovery in this case to which they would otherwise be entitled. Each of the above-listed Voluntarily Dismissed Plaintiffs has assented to the filing of this Notice. Pursuant to the Court’s May 7, 2013 “Pretrial Order No. 3 – Case Management” (See Doc. No. 11), Direct Purchaser Plaintiffs have filed this Notice in each of the individual dockets listed in the caption above, in addition to the Master File docket. The following individual dockets can now be closed:

No. 13-cv-0563
 No. 13-cv-0620
 No. 13-cv-0816
 No. 13-cv-1035
 No. 13-cv-1036

No. 13-cv-1056
No. 13-cv-1182
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No. 13-cv-2107
No. 13-cv-2108
No. 13-cv-2295

Dated: July 24, 2013

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on July 24, 2013 a true and correct copy of the attached Notice of Voluntary Dismissal Without Prejudice as to Certain Plaintiffs has been duly served upon all parties *via* ECF.

s/ Eugene A. Spector
Eugene A. Spector